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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 ALPHAEUS JOHNSON,

14 Defendant.

Case No. 2:22-cr-00096-GMN-DJA

**STIPULATION TO CONTINUE
SENTENCING HEARING**
(First Request)

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16 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
17 United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the
18 United States of America, and Rene L. Valladares, Federal Public Defender, and
19 Benjamin F. J. Nemec, Assistant Federal Public Defender, counsel for Alphaeus Johnson, that
20 the sentencing hearing currently scheduled for January 9, 2024, at 11:00 am, be vacated and set
21 to a date and time convenient to this Court, but no sooner than fourteen (14) days.

22 This Stipulation is entered into for the following reasons:

23 1. Mr. Johnson has an outstanding traffic warrant that will affect his ability to
24 program. The Victorville PD office is working to quash the warrant and resolve the case and
25 advised it will take 1-2 weeks.

26 2. The defendant is in custody and agrees with the need for the continuance.

1 3. The parties agree to the continuance.

2 This is the first request for a continuance of the sentencing hearing.

3 DATED this 5th day of January, 2024.

4 RENE L. VALLADARES
5 Federal Public Defender

 JASON M. FRIERSON
 United States Attorney

6 By /s/ Benjamin F. J. Nemec

 By /s/ Melanee Smith

7 BENJAMIN F. J. NEMEC
 Assistant Federal Public Defender

 MELANEE SMITH
 Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4

5 Plaintiff,

6 v.

7 ALPHAEUS JOHNSON,
8

9 Defendant.

Case No. 2:22-cr-00096-GMN-DJA

ORDER

10 IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for
11 January 9, 2024 at 11:00 a.m., be vacated and continued to January 23, 2024 at the hour of
12 10:00 a.m.

13 DATED this 8 day of January, 2024.

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15 _____
16 UNITED STATES DISTRICT JUDGE
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